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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,307	09/26/2001	James T. Bodner	1662-41200 JMH (P01-3707)	9916

23505 7590 05/09/2005		EXAMINER
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ART UNIT	PAPER NUMBER
2142	

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DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/964,307	BODNER ET AL.
	Examiner	Art Unit	
	Benjamin A. Ailes	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 September 2001</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-23</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-23</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>04 March 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-23 have been examined.

Specification

2.   The disclosure is objected to because of the following informalities: A spelling

error is present on page 5, paragraph 0018, line 5, the word "sever" should be changed

to "server."

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4.   Claims 15-20 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

5.   Claim 15 recites the limitation "said server" in line 1 of the claim. There is

insufficient antecedent basis for this limitation in the claim.

6.   Claim 16 recites the limitation "said server" in line 1 of the claim. There is

insufficient antecedent basis for this limitation in the claim.

7.   Claim 16 recites the limitation "said plurality of servers" in line 2 of the claim.

There is insufficient antecedent basis for this limitation in the claim.

8.   Claim 17 recites the limitation "second plurality of servers" in line 4 of the claim.

There is insufficient antecedent basis for this limitation in the claim.

9.   Claim 17 recites the limitation "said server" in line 5 of the claim. There is

insufficient antecedent basis for this limitation in the claim.

10.   Claim 18 recites the limitation "second plurality of servers" in line 4 of the claim.

There is insufficient antecedent basis for this limitation in the claim.

11.   Claim 18 recites the limitation "said server" in line 5 of the claim. There is

insufficient antecedent basis for this limitation in the claim.

12.   Claim 18 recites the limitation "second plurality of servers" in line 6 of the claim.

There is insufficient antecedent basis for this limitation in the claim.

13.   Claim 19 recites the limitation "the type of server" in line 1 of the claim. There is

insufficient antecedent basis for this limitation in the claim.

14.   Claim 19 recites the limitation "the server" in line 3 of the claim. There is

insufficient antecedent basis for this limitation in the claim.

15.   Claim 20 recites the limitation "said first plurality of servers" in line 2 of the claim.

There is insufficient antecedent basis for this limitation in the claim.

16.   Claim 20 recites the limitation "the server" in line 2 of the claim. There is

insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

17.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

18.   Claims 1- 23 are rejected under 35 U.S.C. 102(e) as being anticipated by

McGuire (U.S. 6,186,897), hereinafter referred to as McGuire.

19.   Regarding claim 1, McGuire discloses an automatic method of configuring a

server in a system including a plurality of servers, comprising:

        (a) requesting configuration data by the server to be configured (col. 5, lines 61-

64 and col. 6, lines 36-43);

        (b) automatically retrieving configuration data appropriate for the server from a

device external to the server (col. 6, lines 58-63); and

        (c) providing the retrieved configuration data to the server (col. 6, lines 58-63).

20.   Regarding claim 2, in accordance with claim 1, McGuire discloses the method

wherein said external device comprises a chassis communication module (col. 4, line 63

– col. 5, line 1).

21.   Regarding claim 3, in accordance with claim 1, McGuire discloses the method

wherein the server and other servers couple to a chassis communication module (col. 4,

line 63 – col. 5, line 1) and (b) includes retrieving the configuration data from another

server besides said server being configured (col. 6, lines 58-63).

22.   Regarding claim 4, in accordance with claim 1, McGuire discloses the method

further including determining which of said other servers includes configuration data

suitable for use by the server being configured and (b) includes retrieving such other

server's configuration data (col. 7, lines 13-18).

23.   Regarding claim 5, in accordance with claim 1, McGuire discloses the method

wherein (a) includes providing a server type value with said request for configuration

data (col. 7, lines 25-28).

24.   Regarding claim 6, in accordance with claim 1, McGuire discloses the method

further including using said server type value to determine which of said other servers

includes configuration data suitable for use by the server being configured and (b)

includes retrieving such other server's configuration data (col. 7, lines 13-18, 25-28, and

51-56).

25.   Regarding claim 7, McGuire discloses a computer system, comprising:

A first plurality of servers (col. 3, lines 4-52); and

A first chassis communication module coupled to said first plurality of servers

(col. 3, lines 53-64 and col. 4, line 63 – col. 5, line 1);

Wherein at least one of said plurality of servers can be configured automatically

once installed into said system, said installed server to be configured

submitting a request for configuration data to said first chassis

communication module which automatically retrieves and provides

configuration data to said server for configuration (col. 5, lines 61-64 and

col. 6, lines 36-43, and col. 6, lines 58-63).

26.   Regarding claim 8, in accordance with claim 7, McGuire discloses the computer

system wherein said configuration data provided to said server was stored in memory

on said first chassis communication module (col. 7, lines 3-12).

27.   Regarding claim 9, in accordance with claim 7, McGuire discloses the computer

system wherein said configuration data provided to said server was stored on another of

said plurality of servers (col. 7, lines 13-18).

28.   Regarding claim 10, in accordance with claim 7, McGuire discloses the computer

system further including:

> A second chassis communication module coupled to said first chassis
>
>> communication module (col. 3, lines 40-52);
>
> A second plurality of servers coupled to said second chassis communication
>
>> module (col. 4, line 60 – col. 5, line 1);
>
> Wherein said configuration data provided to said server was stored in memory on
>
>> said second chassis communication module (col. 7, lines 3-12).

29.   Regarding claim 11, in accordance with claim 7, McGuire discloses the computer

system further including:

> A second chassis communication module coupled to said first chassis
>
>> communication module (col. 3, lines 40-52);
>
> A second plurality of servers coupled to said second chassis communication
>
>> module (col. 4, line 60 – col. 5, line 1);
>
> Wherein said configuration data provided to said server was stored in memory on
>
>> one of said second plurality of servers (col. 7, lines 3-12).

30.   Regarding claim 12, in accordance with claim 7, McGuire discloses the computer

system wherein said request includes the type of server to be configured and said first

chassis communication module uses said type of server to retrieve configuration data

suitable for the server to be configured (col. 7, lines 13-18, 25-28, and 51-56).

31.   Regarding claim 13, in accordance with claim 12, McGuire discloses the

computer system wherein said request includes the type of server to be configured and

said first chassis communication module uses said type of server to retrieve

configuration data suitable for the server to be configured (col. 7, lines 13-18).

32.   Regarding claim 14, McGuire discloses an electronic system, comprising:

A first plurality of configurable devices (col. 3, lines 4-52); and

A first chassis communication module coupled to said first plurality of

configurable devices (col. 3, lines 53-64 and col. 4, line 63 – col. 5, line 1);

Wherein at least one of said plurality of configurable devices can be configured

automatically once installed into said system, said installed configurable

device to be configured submitting a request for configuration data to said

first chassis communication module which retrieves and provides

configuration data to said configurable device for configuration (col. 5,

lines 61-64 and col. 6, lines 36-43, and col. 6, lines 58-63).

33.   Regarding claim 15, in accordance with claim 14, McGuire discloses the

electronic system wherein said configuration data provided to said server was stored in

memory on said first chassis communication module (col. 7, lines 3-12).

34.   Regarding claim 16, in accordance with claim 14, McGuire discloses the

electronic system wherein said configuration data provided to said server was stored on

another of said plurality of servers (col. 7, lines 13-18).

35.   Regarding claim 17, in accordance with claim 14, McGuire discloses the

electronic system further including:

 a second chassis communication module coupled to said first chassis

 communication module (col. 3, lines 40-52); and

 a second plurality of servers coupled to said second chassis communication

 module (col. 4, line 60 – col. 5, line 1);

 wherein said configuration data provided to said server was stored in memory on

 said second chassis communication module (col. 7, lines 3-12).

36.   Regarding claim 18, in accordance with claim 14, McGuire discloses the

electronic system further including:

 a second chassis communication module coupled to said first chassis

 communication module (col. 3, lines 40-52); and

 a second plurality of servers coupled to said second chassis communication

 module (col. 4, line 60 – col. 5, line 1);

 wherein said configuration data provided to said server was stored in memory on

 one of said second plurality of servers (col. 7, lines 3-12).

37.   Regarding claim 19, in accordance with claim 14, McGuire discloses the

electronic system wherein said request includes the type of server to be configured and

said first chassis communication module uses said type of server to retrieve

configuration data suitable for the server to be configured (col. 7, lines 13-18, 25-28,

and 51-56).

38.   Regarding claim 20, in accordance with claim 19, McGuire discloses the

electronic system wherein said first chassis communication module finds another of said

first plurality of servers that is of the same type as the server to be configured and

retrieves configuration data corresponding to such matching other server (col. 7, lines

13-18).

39.   Regarding claim 21, McGuire discloses a configurable device adapted to be

installed into a system that includes other configurable devices, said configurable device

including:

>   a CPU (col. 11, lines 27-32);

>   memory coupled to said CPU and on which configuration is stored (col. 7, lines

>>   3-12); and

>   an embedded management processor coupled to said CPU, said embedded

>>   management processor determines whether said configurable device has

>>   been configured and, if not, submits a request to an external device to

>>   provide configuration data corresponding to another configurable device in

>>   said system (col. 5, lines 61-64 and col. 6, lines 36-43, and col. 6, lines

>>   58-63).

40.   Regarding claim 22, in accordance with claim 21, McGuire discloses the

configurable device wherein said request includes a configurable device type (col. 7,

lines 25-28).

41.   Regarding claim 23, McGuire discloses a method of configuring a server in a

system including a plurality of servers, comprising:

(a) requesting configuration data by the server to be configured (col. 5, lines 61-64 and col. 6, lines 36-43);

(b) if automatic configuration has been specified for the server, automatically retrieving configuration data appropriate for the server from a device external to the server; and providing the retrieved configuration data to the server (col. 6, lines 58-63); or

(c) if automatic configuration has not been specified for the server, manually configuring the server (col. 8, lines 56-58).

Conclusion

42.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hamilton, II et al. (U.S. 6,834,299) disclose a method and system for automating the configuration of a storage are network.

Chrabaszcz (U.S. 6,212,585) discloses a method of automatically configuring a server after hot add of a device.

Reichmeyer et al. (U.S. 6,286,038) disclose a method and apparatus for remotely configuring a network device.

Sandlick et al. (U.S. 6,684,241) disclose an apparatus and method of configuring a network device.

McGuire (U.S. 2002/0161888 A1) discloses a template-based system for automated deployment and management of network devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes, whose telephone number is (571)272-3899. The examiner can normally be reached on Monday-Friday (7:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached at (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is (703)872-3906.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
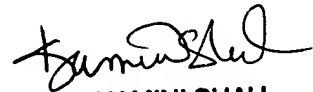
Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [benjamin.ailes@uspto.gov].

All Internet e-mail communications will be made of record in the application file.

PTO employees do not engage in Internet communications where there exists a

possibility that sensitive information could be identified or exchanged unless the record

includes a properly signed express waiver of the confidentiality requirements of 35

U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published

in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG

89.

Benjamin Ailes
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